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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

Zimbabwe

[30 June 1995]

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Introduction

1. Zimbabwe acceded to the International Covenant on Economic, Social and Cultural Rights on 13 May 1991 and in terms of article 16 our first report became due in June 1993. Unfortunately, we were unable to submit the report in time. To compensate for the delay we have tried as much as possible to make available to the supervising committee information covering the period from 1991 to the present.

Article 1. Right to self-determination

2. Zimbabwe believes in the principle that all peoples have the right to self-determination and that they are free to determine their political status and free to pursue their economic, social and cultural development.

3. It is the Government's policy to preserve peace, order and good government, to guarantee political stability, social, economic and cultural development to all, to uphold and apply fully the rule of law, equality before the law and the civil and social liberties and equality of opportunities for all people of Zimbabwe regardless of race, tribe, sex or origin.

4. In terms of the Constitution of Zimbabwe and the Electoral Act, 1990 the people of Zimbabwe have the right to freely choose their Government without interference. Zimbabwe is a multi-party democracy and periodic presidential and parliamentary elections are held, based on universal adult suffrage. The constitution also guarantees the right to protection of the freedom of conscience, protection of freedom of expression and protection of freedom of assembly and association. Information on the party system and elections is provided in the core document.

5. The Constitution guarantees the right to protection from deprivation of property. Every person has the right to own or hold any property lawfully acquired and to freely dispose of such property. The Constitution however allows the compulsory acquisition of property, but where this is done it must be under the authority of a law, which law must be in conformity with the provisions of the Constitution regarding the reasons for acquisition, the procedure to be followed and the payment of fair compensation. For instance the acquisition must be for settlement for agriculture, land reorganization, forestry, environmental conservation, in the interests of defence, public safety, public health, town and country planning, etc. Reasonable notice of intention to acquire the property must be given to any person owning the property or having any other right or interest in it and the acquiring authority must pay fair compensation for the acquisition before or within a reasonable time after the acquisition.

6. It is the Government's policy that the country's natural and other resources should be utilized for the benefit and development of all the people. Thus, under the Land Acquisition Act, 1990 the Government intends to redress the inequitable distribution of land which currently exists, whereby only about 5,000 commercial farmers own 15.5 million hectares of land (almost half of the total agricultural land) while about 700,000 peasant farmers own

just 16.4 million hectares of land. The Government is in the process of acquiring some of the commercial farms for the purpose of resettling on them the land-hungry peasants.

7. Zimbabwe, as a believer in the principle of the right of all peoples to self-determination, and as a beneficiary of diplomatic and material support during its own struggle for liberation from minority and colonial rule, has actively supported other people in their fight for the right to self-determination and independence in Africa and other parts of the world. Through the Organization of African Unity (Liberation Committee), the Non-Aligned Movement and the United Nations, and in the spirit of the Charter of the United Nations, the Universal Declaration of Human Rights and the African Charter of Human and Peoples' Rights, has supported the cause of self-determination in Namibia, South Africa, Palestine, Western Sahara, etc.

Article 2. Adoption of measures with a view to achieving progressively the full realization of the rights recognized in the Covenant

8. While Zimbabwe has not been able to incorporate specifically into its Constitution or any other law the rights enshrined in the Covenant, it has in practice endeavoured to promote the realization of these rights and has to a large extent achieved this goal. More needs to be done and it is the Government's policy to do much more. As will be fully discussed under articles 7 to 15, a lot has been achieved in the areas of health, education and employment.

9. The realization of economic, social and cultural rights in Zimbabwe must be considered in the light of its limited resources. Zimbabwe is a developing country and it does not have at its disposal the vast financial, personnel and natural resources that more developed countries have. It also still lags far behind in terms of technological development. Under these circumstances it is difficult for Zimbabwe to achieve the full realization of the rights recognized in the Covenant. However, as already noted above, measures have been put in place to promote these rights. For instance five years ago the Government introduced the Economic Structural Adjustment Programme (ESAP) in terms of which it opened up the economy with a view to encouraging economic growth and development and thereby improving the quality of life of all the people. Recently, the Government introduced the Poverty Alleviation Action Plan (PAAP), which will supplement and cushion the effects of ESAP and which is intended to alleviate poverty and improve the quality of life. Both programmes are being undertaken with the assistance of donor countries (such as members of the European Union), IMF, the World Bank, etc.

10. The rights enshrined in the Covenant are promoted by the Government and exercised without discrimination of any kind. The Constitution prohibits discrimination on grounds of race, colour, tribe, place of origin, political opinion or creed. However, sex is not specified as one of the grounds on which discrimination is prohibited. This aspect is dealt with in detail in our first report on implementation of the Convention on the Elimination of All Forms of Discrimination against Women, which is due to be submitted shortly to the Committee on the Elimination of Discrimination against Women (CEDAW).

Article 3. Equal right of men and women to the enjoyment of all economic, social and cultural rights

11. The Government has put in place administrative measures to ensure the quality of the sexes in all spheres of life. It is intended to achieve equality in the enjoyment of rights, including economic, social and cultural rights. A lot has been done in the areas of employment, health, education, etc., to ensure that men and women have equal opportunities and access to them. For the details, please refer to our first reports to CEDAW.

Article 4. Circumstances under which limitations upon the enjoyment of economic, social and cultural rights may be permissible

12. The Constitution allows limitations to the enjoyment of some rights enshrined in the Universal Declaration of Human Rights and these include some of the rights in the Covenant. The limitations are as determined by law, with the purpose of promoting the general welfare of the people and to ensure that the enjoyment of rights by one do not infringe the enjoyment of the rights by another.

13. Section 11 of the Constitution provides that every person in Zimbabwe is entitled to the fundamental rights and freedoms of the individual, regardless of his race, tribe, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest.

Article 6. Right to work

14. While it is government policy that everyone should have access to a job, the law does not specifically provide for the express right to work. Theoretically everyone has equal opportunity to employment, which he freely chooses or accepts; in practice this is not the case.

15. Zimbabwe is a party to the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women. Consideration is being given to the desirability of acceding to ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and ILO Employment Policy Convention, 1964 (No. 122). A report under the International Convention on the Elimination of All Forms of Racial Discrimination was recently submitted, while a report under the Convention on the Elimination of All Forms of Discrimination against Women will be submitted shortly.

16. Unemployment is a major problem in Zimbabwe. The average annual rate of growth in real GDP lags behind the population growth rate and the increase in employment opportunities has been far from adequate to absorb the large numbers entering the workforce annually.

17. Unemployment in the formal sector is estimated at 35 per cent, while the country produces about 200,000 school leavers annually and this is matched by only about 70,000 jobs that are created. According to the 1992 Census figures there are 3,501,798 economically active people is Zimbabwe, of whom 22 per cent are unemployed.

18. There are no distinctions, exclusions, restrictions or preferences, either in law or administrative practices, between persons or groups of persons, made on the basis of race, colour, sex, religion, etc. The law, as well as government policy, provides for the enjoyment of equality of treatment in employment. In practice, however, this may not always be the case. Not much information is available on discriminatory practices in the workplace, as such practices are difficult to detect. Allegations of discriminatory practices in some workplaces have been made but are difficult to substantiate or prove. Certain practices, though, are not considered as discriminatory, particularly where special provision is made, for example, for female or disabled employees.

Article 7. Right to enjoyment of just and favourable conditions of work

19. Zimbabwe has ratified the following ILO Conventions:

No. 14, Weekly Rest (Industry) Convention, 1921;

No. 19, Equality of Treatment Accident Compensation, 1925;

No. 26, Minimum Wage Fixing (Machinery Manufacturing) Convention, 1928;

No. 45, Underground Work (Women) Convention, 1935;

No. 81, Labour Inspection Convention, 1947;

No. 99, Minimum Wage Fixing (Agriculture) Convention, 1951;

No. 100, Equal Remuneration Convention, 1951;

No. 129, Labour Inspection (Agriculture) Convention, 1969;

No. 144, Tripartite Consultation (International Labour Standards) Convention, 1976.

The Government has already submitted reports to the ILO Committee of Experts on these Conventions.

Free collective bargaining

20. Since 1991 the state policy and principal method used for fixing wages is free collective bargaining. Under the terms of the Labour Relations Act, 1985:

(i) Workers' committees and their employers can negotiate and fix their wages at their plant level;

(ii) Registered and certified trade unions and registered and certified employers' associations can negotiate and fix wages for their industry;

(iii) In those new undertakings which are not covered by Employment Councils, the method used is called "interim classification". By

this method the Department of Labour investigates the undertaking and its operations. After the investigation a recommendation is made to the Minister as to what conditions of employment and wages should apply to that undertaking in the interim before the employees and employers are advised to have their interests covered by a particular Employment Council.

System of minimum wages

21. A system of minimum wages existed in Zimbabwe from 1980 to 1990 in which the State directed industry and commerce as to the basic minimum wages to be paid to employees. Since 1990 the fixing of minimum wages has been abandoned by the State for free collective bargaining. The minimum wage fixing applied to blue-collar employees with, however, a ceiling as to what white-collar employees could be paid as a maximum. This system did not apply to directors and shareholders. The competent authority then was the State. The competent authority as from 1991 to date are the National Employment Councils and Works Councils under the responsibility of the Minister.

22. There were some wage earners who fell outside the protection of the system of minimum wages in law and in fact. These were:

Informal sector workers;

Rural agricultural workers - especially in family units;

Refugee workers - who in fact are not allowed to leave their refugee camps to seek employment without work permits;

School children who may be hired to pick tea or cotton, etc., for school fees (very common on commercial farms).

The system of minimum wages now applies to domestic and farm workers only.

23. In the Statutory Instruments of Employment Councils minimum wages have force of law. Security against erosion is secured by trade unions, which negotiate for wage increases above the current rate of inflation. It is known that some enterprises award their employees a cost of living allowance depending on the prevailing economic hardships workers may be enduring.

24. The concept of minimum wages pegged to the poverty line is not practised in Zimbabwe. When the State stopped giving directions on minimum wages to employers and employees in 1991, the minimum wages that were being paid were from then on supplemented by negotiated percentage increases and this is the current trend. It is hoped that free negotiations enable workers to negotiate for their needs and those of their families taking into consideration the prevailing economic trends. Standards used are cost of food, for example mealie-meal, vegetables, transport to and from work, school fees etc. Goals are to improve the living standards of workers and their families. Bench-marks are the general expenditures of a family of six children plus mother and father.

25. The machinery set up for fixing and monitoring and adjusting minimum wages is the following:

Fixing minimum wages

Employment councils;

Interim classifications of industry (new).

Monitoring and adjusting minimum wages

For Interim classifications the Department of Labour Relations monitors adjustments of the minimum wages.

For National Employment Councils the employees and employers (through employees called designated agents) monitor minimum wages. They adjust their minimum wages through free collective bargaining agreements.

26. The system of minimum wages in Zimbabwe is supervised effectively in the formal sector, but not in the informal sector.

Sex discrimination

27. The policy of the Government and the Labour Relations Act prohibits discrimination in whatever form. The law provides for equal pay for equal work.

28. With regard to conditions of work for women which are inferior to those enjoyed by men, it is important to point out that this question is debatable, depending on the cultural values of the society. In government departments it is safe to say there are no conditions for women which are inferior to those enjoyed by men. It is reiterated that to offer inferior conditions to women is against government policy and is a breach of the provisions of the Labour Relations Act.

29. Educated women have achieved great success in proving cases of discrimination at the Labour Relations Offices and in the courts. This is not true of those women who are less literate and non-literate, who either fail to prove their case or just ignore it or are not aware of their rights.

30. Criteria that have been adopted to carry out an objective appraisal of jobs on the basis of work to be performed are:

Education: primary, secondary and university;

Technical training;

On-the-job training by employers and trade unions.

Equal opportunity for promotion

31. With regard to realization of the principle of equal opportunity for promotion, in Zimbabwe there are female permanent secretaries; managing

directors, general managers, company secretaries, forepersons etc.; ministers and governors; judges and magistrates; Ombudsman. There are no groups of workers in Zimbabwe who are denied equal opportunity for promotion. The only handicap is if the person or persons are not educated, have no technical skills or relevant experience; then their chances of promotion are remote or non-existent. This criteria of lack of education and skills applies to both men and women.

32. Steps taken by the State to eliminate such inequality are the provision of education and skills training. Employers and trade unions also give on-the-job training to assist those who are less educated and less trained/skilled to give them opportunities for promotion.

33. Zimbabwe has achieved great success in educating its people, for example, doctors, teachers, technicians and other skilled women and men are migrating to Europe and other African countries for more pay for their skills and expertise.

34. There have been some failures, however, to eliminate inequalities in that the greater number of young school leavers have failed to secure employment. This has added more young men and women to the numbers of the disadvantaged groups.

Conditions of employment

35. The Labour Relations Act and the accompanying Statutory Instruments provide adequately for rest/leisure, reasonable limitations of working hours, periodic holidays with pay and remuneration for public holidays. All of these conditions of employment are negotiated freely by the Employment Councils. Statutory Instruments vetted by the Attorney-General's Office are then published to give the agreements legally binding status.

36. Factors and difficulties affecting the degree of realization of these rights are:

Some employers fail or breach the provisions of the Act as well as the Statutory Instruments;

Poor monitoring by designated agents of Employment Councils;

Failure at times by the Department of Labour to detect some of the breaches during labour inspections;

Conspiracy between some employers and employees at plant level to hide the truth when labour officials or designated agents visit their places of work on inspection exercises.

37. Workers excluded from enjoyment of the above-mentioned conditions of employment by law or in practice are mostly informal workers and rural family units (employees). Legislation is being considered on child labour and informal sector employees and their employers. An Inter-Ministerial Committee on Child Labour has been set up to study the problem of child labour in Zimbabwe before legislation can be enacted.

38. The laws and regulations governing safe and healthy working conditions are administered by several institutions and authorities.

39. Statutory Instrument 68 of 1990 (Accident Prevention and Workers Compensation Scheme) is the general legislation covering the maintenance of a healthy and safe working environment at workplaces. This is administered by the National Social Security Authority (NSSA) and covers all sectors of the economy, agriculture, mining, forestry, chemical, finance, etc. and makes it a legal requirement for all employers in all sectors to maintain safe and healthy working conditions. It identifies occupational diseases and indicates what needs to be done in terms of the welfare and maintenance of the worker's health.

40. The Factories and Works Act covers the health and safety of workers in factories. Under the terms of this Act inspectors are appointed to supervise industry to promote a healthy work environment as stipulated in that Act. The Act is currently administered through NSSA and covers safety in the use of machinery, boilers and pressure vessels, electricity, building and construction industry safety and prevention of occupational diseases.

41. NSSA also administers the Pneumonoconiosis Act, which covers the medical examination of workers exposed to occupational diseases. Under the Act workplaces designated as dusty and occupations or diseases inherent in the nature of work are identified, and people exposed to such diseases are medically examined to monitor their health. NSSA has a mobile clinic and employs medical doctors as part-time and full-time occupational health practitioners to carry out the medical surveillance of workers exposed to occupational diseases and hazards.

42. The Workers' Compensation Scheme, also under NSSA, provides relief to workers injured or killed in occupational accidents or who contract occupational diseases where such workers are compensated. Disabled workers can be sent for rehabilitation at a rehabilitation centre administered by NSSA.

43. Health and safety in mines falls under the Mines and Minerals Act administered by the Ministry of Mines. The Act provides for precautions and procedures to be followed in maintaining health and safety in mines and mines inspectors are appointed to supervise and ensure compliance with the requirements of this Act. The Ministry of Mines and NSSA work closely together and exchange information and statistics on accidents and occupational diseases as their functions are interlinked in compensation and medical examinations.

44. The Hazardous Substances Act is administered by the Ministry of Health and Child Welfare and it covers the safe use of hazardous substances in all places of work. The Ministry also administers the Public Health Act and appoints inspectors under the terms of that Act to monitor the safe use and maintenance of a healthy environment.

45. The above-mentioned Acts are also administered through local authorities, to ensure compliance.

46. Zimbabwe embarked on a structural adjustment programme as from 1990. This adjustment has necessitated the deregulation of labour laws, trade laws, business laws etc. In the labour relations field, certain provisions of the Labour Relations Act have been amended or repealed to ensure that the State exercises very minimal interference between employees and their employers, for instance decision-making on dismissals and retrenchments has been decentralized at the shop floor working level and to the national level through works councils and National Employment Councils.

47. For dismissals, Statutory Instrument 379 of 1990 enables all undertakings to register an Employment Code of Conduct under the terms of which the dismissal of employees can be effected. For retrenchment, Statutory Instrument 404 of 1990 provides procedures for retrenching employees for economic reasons.

48. The International Labour Organization has contributed a great deal to the amendment of the Labour Relations Act, pointing out for instance that Zimbabwe should not follow a policy of one union in one industry but should legislate so that a worker can join a trade union of his/her own choice. An amendment to this effect is now in place in the Labour Relations Amendment Act, 1992. Zimbabwe has ratified the ILO conventions listed above as a sign of commitment that its workers as well as foreign workers enjoy fair labour standards with human dignity and respect.

Article 8. Right to form or join a trade union

Membership of conventions

49. The Government of Zimbabwe is seriously considering ratifying the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) as affecting the rights enshrined in article 8. It is considering the desirability of ratifying the ILO Right to Organize and Collective Bargaining Convention, 1949 (No. 98) in the years to come, but it must be noted that there is free collective bargaining in place in Zimbabwe. Consideration is also being given to the ratification of the ILO Labour Relations (Public Service) Convention, 1978 (No. 151); however, it is unlikely that ratification will be approved in the near future as the Government is currently studying the possibility of harmonizing labour laws and the enactment of a new Public Services Act.

Trade union membership

50. Section 27 (1) of the Labour Relations Act provides that "Subject to the provisions of this Act, any group of employees may form a trade union". There are certain conditions trade unions should meet before registration, but these do not infringe the right of association.

51. There are special provisions in the Labour Relations Act for managerial employees to form their own managerial workers' committees, as well as managerial employees associations (trade unions). The managerial employees are now in the process of organizing themselves to form managerial workers' committees and associations. The numbers will be fewer than for the blue-collar workers' committees and trades union membership.

52. There are no restrictions placed upon the exercise of the right to join and form trade unions by workers - except that each worker must accept the rules of the union that he/she wants to join.

53. The Government allows trade unions to federate and join international trade union organizations. The local unions apply to the Ministry of Public Service, Labour and Social Welfare (ILO Desk) and their applications are processed by the ILO Desk which advises the Minister.

54. Trade unions are allowed to function freely provided that they do so in terms of the provisions of the Labour Relations Act. Since 1990, the Government has stopped giving directives to undertakings. Since then it has adopted a policy of free collective bargaining.

55. There are 101 registered trade unions in Zimbabwe. The membership is about 200,000.

Right to strike

56. Workers are allowed to strike as a matter of constitutional and legal right, but they must follow the laid-down procedures, for example, the workers must give 14 days' notice to the employer, explaining in detail the reasons for the strike.

57. For workers employed in essential services, for example health, hospital or ambulance services, there are restrictions upon exercising the right to strike. The application of these provisions has been very minimal because workers in essential services have taken very few collective job actions, which have been resolved through negotiations.

58. No special legal provisions regarding the exercise of the right to strike by certain categories of workers have been enacted in Zimbabwe. All workers are allowed to go on strike if they feel their lives are in danger, for example, in an unsafe mine, etc.

59. It is to be noted that strikes can be subject to ministerial intervention and that it is illegal for members of the Public Service, that is the police, defence forces, prison service and civil servants, to strike. They are not provided for in the Labour Relations Act.

Article 9. Right to social security, including insurance

60. Zimbabwe recently introduced a social security scheme. It created the National Social Security Authority (NSSA), a parastatal body which administers the National Social Security Authority Act, 1989. This Act enables the Authority to establish social security schemes. The main objectives of NSSA are:

(a) To develop a comprehensive social security scheme in Zimbabwe;

(b) To establish and administer social security schemes that provide meaningful benefits to the country's labour force and their dependants in terms of the current legislation which applies to:

(i) The Accident Prevention and Workers' Compensation Scheme, administered under Statutory Instrument 68 of 1990. This scheme provides compensation for work-related injuries and diseases.

(ii) The Pensions and Other Benefits Scheme, administered under Statutory Instrument 393 of 1993. This scheme provides benefits to workers in the form of old age pensions, funeral grants, survivors and invalidity pensions or grants.

61. NSSA is now in the process of drafting a national health insurance scheme.

62. NSSA will in future establish more schemes, to be administered according to the needs of the people and to the economic, social and cultural requirements for development and growth within the country.

63. The current schemes being administered by NSSA are work-related and therefore contributions are made to them by employers and employees. The Authority itself is a tripartite body with equal representation from the three social partners at the workplace, namely the Government, the employer and the employee.

64. The current benefits, which are extended to the majority of the workers in Zimbabwe, will go a long way in improving their standards of living in old age or when out of employment due to invalidity or disability due to work-related injury or disease. The benefits also ensure security for the workers' families. The national character of these schemes will enable members to enjoy the benefits of economies of scale because the schemes will offer guaranteed minimum pensions to their members.

65. The national social security schemes now in place in Zimbabwe will not only benefit the individual members and their families, but will also offer a wider developmental dimension in the country. The schemes will provide a legitimate alternative for mobilizing domestic savings for the public good, through investments and the necessary industrial infrastructure.

66. Zimbabwe does not yet have social security schemes covering medical care, maternity benefits, cash sickness benefits and unemployment benefits.

Article 10. Protection and assistance to the family

67. Zimbabwe has acceded to the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. It has not yet acceded to ILO Maternity Protection Convention (Revised), 1952 (No. 103) and ILO Minimum Age Convention, 1973 (No. 138).

68. No reports have been submitted as yet on the conventions which have been acceded to. However, the preparation of the reports is at an advanced stage and they will be submitted in the near future.

69. "Family" has a two-pronged meaning in Zimbabwe. On the one hand is the nuclear family which refers to a man, his wife and children. On the other hand, the extended family refers to a man, his wife, his children, and his wife's and his own parents, brothers and sisters, cousins, uncles, nephews and nieces. This merits and assesses which type of family is applicable.

70. The establishment of a family is facilitated by the provision of prenatal care, maternity care and postnatal care through the maternal and child health services provided by the Government. It is the responsibility of each family to maintain, protect and provide for itself. However, the Department of Social Welfare comes in where there is a breakdown of the family system sustenance by providing appropriate assistance through:

(i) The Social Welfare Assistance Act, 1988;

(ii) The Social Dimensions Funds, for school fees and medical fees;

(iii) The Children Protection and Adoption Act (chap. 33) and other related legislation for the protection of children.

71. Shortcomings in the provision of such assistance centre around awareness by the families of services and the capacity of the Department of Social Welfare to reach every needy case. The Department has been requesting strengthening but the process is hindered by non-availability of resources.

72. The age of majority in Zimbabwe is 18 years, at which age one can represent oneself legally in any contractual agreement. However there are special ages for the following:

(a) Criminal liability - the general principle is that no child under the age of 7 years is capable of committing crimes. Between 7 and 14 years there is a rebuttable presumption that a child is incapable of committing a crime. Boys under the age of 14 years are deemed incapable of having sexual intercourse and therefore incapable of rape.

(b) The minimum age for entry into military service is 18 years under section 27 of the Defence Act and National Service Act, 1979.

(c) The minimum age for sexual consent is 16 years, as provided in section 3 of the Criminal Law Amendment Act (chap. 58).

(d) Marriage - under common law boys can marry at 14 and girls at 12. The African Marriages Act (chap. 238) forbids pledging of girls and women and section 23 of the Marriages Act (chap. 37) sets the minimum age at 18 years for boys and 16 years for girls. Marriage must be entered into with the full consent of the parties. Zimbabwe recently acceded to the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages. However, in Zimbabwe, there are some religious sects and tribal groups which, despite the prescribed ages of marriage, continue to practise forced marriages and betrothal of children to older men for "appeasement of spirits" or payments of debts.

73. Consumption of alcohol and other controlled substances - the minimum age is 16 years as provided in the Children's Protection and Adoption Act and 18 years in the Liquor Act. This has been difficult to enforce as children have easy access to alcohol and drugs. It was recommended that it is necessary for parents to teach their children of the harmful effects of alcohol and drugs.

74. There has not been a specific age limit for child employment in Zimbabwe except that inferred in the Labour Relations Act, which stipulates that an employment contract with anyone of 16 years and below is not recognizable by law. In the Children's Protection and Adoption Act, street vending and child exploitation is prohibited, but its policing has been weak due to inadequate capacity and resources.

75. The extent and nature of paid employment of children in Zimbabwe has not been quantified but estimates for street children have been put at 10,000. There are moves to engage a consultant through UNICEF assistance to study the whole area of children in difficult circumstances.

76. The extent is not known, but it is acknowledged that there is a lot of child labour on farms. This is a matter that the Inter-Ministerial Committee on Child Labour is looking into with a view to introducing appropriate legislation to curb the problem.

77. It is evident that in Zimbabwe there are groups of children and young persons which do not enjoy the measures of protection and assistance offered by the State owing to ignorance, the irresponsibility of parents or guardians and also to the failure of the government agencies to reach affected cases.

78. The situation of orphans has been aggravated by the AIDS epidemic and although traditionally orphans have been absorbed into the extended family, the present scenario is of more orphaned children in need of care in institutions. The capacity of the children's homes is now failing to meet the demand and the Government's emphasis is on encouraging fostering within the extended family, and proposals to increase the present level of foster fees have been made.

79. The situation of disabled children is also being addressed under Children in Especially Difficult Circumstances. It is estimated that there are about 140,000 disabled children in Zimbabwe, according to the Government Survey on Disability of 1982. The National Programme of Children in Zimbabwe intends to improve identification of disability at district and provincial levels, increase facilities for their integration into ordinary schools and into the community and ensure orthopaedic appliances are supplied as a right to disabled children. The Disabled Persons Act of 1992 covers children in its legislation, which relates to the disabled as a whole.

80. The groups of children in especially difficult circumstances have non-governmental organizations which represent them and which in conjunction with government and international organizations promote children's rights.

81. The situation of children in especially difficult circumstances has been exacerbated in Zimbabwe by the severe drought experienced recently and the adverse effects of the Economic Structural Adjustment Programme.

82. The United Nations through UNICEF has been supporting efforts by Zimbabwe to come up with a National Programme of Action for Children and in its compilation of the report on progress in implementing the Convention on the Rights of the Child.

83. Women are entitled to paid maternity leave, though not on full pay. The Labour Relations Act and the Public Service (General Leave) Regulations, 1978 allow a female employee to go on paid maternity leave for 90 days. The percentage of salary which they are entitled to depends on whether they had vacation due to them from the previous six months and whether they wish to forfeit such leave. If they agree to forfeit the vacation leave they are entitled to at least 75 per cent of their normal pay, if not they are entitled to at least 60 per cent. The maximum period of maternity leave may be extended beyond the normal 90 days, but without pay. However, very few women employed in the informal sector and as domestic workers enjoy these benefits. More information on this is provided in our report to CEDAW.

Article 11. Right to an adequate standard of living

84. The general standard of living across all social aggregate groups has been adversely affected by the recent severe drought and the price increases resulting from the cost recovery programmes, compared with 10 and 5 years ago.

85. It was estimated that most people with an income of $400 and below are poor. As a result a figure of $400 has been fixed as the upper limit for access to assistance with education and health under the Social Dimensions of Adjustment programmes.

The right to adequate food

86. According to the Social Welfare Assistance Act the disadvantaged, elderly, chronically ill, the disabled and unemployed single parents are eligible for subsistence allowances. This has been effected in all parts of Zimbabwe as our administrative structure is well decentralized to 58 districts of Zimbabwe to be within easy reach of both the rural and urban disadvantaged groups. The recipients buy food items with the allowances, among other things.

87. Recently, in order to cushion the disadvantaged groups from the harsh effects of price increases due to the reform programmes, a food subsidy for both the rural and urban disadvantaged was put in place.

88. In the rural areas an agreement was reached between the Government and the Grain Marketing Board (GMB) to transport maize grain to approved sellers who would in turn charge prices that would be affordable to the general rural population. The GMB's transport cost would then be met from the Social Development Fund.

89. In the urban areas the Food Money Programme is gaining popularity as it is accessed by the urban poor who cannot obtain grain from the rural areas or afford the ordinary 10 kg or so of roller* meal and the current prices of the same.

90. One of the Government's objectives is to achieve food self-sufficiency and ensure food security both at the national and household levels. Under the Ministry of Lands, Agriculture and Water Development, there is a National Early Warning Unit within the Department of Agritex, which is responsible for collecting information on food availability. The Department of Nutrition within the Ministry of Health also collects information to the same effect, although it concentrates more on nutritional aspects. The GMB also carries out assessments and so does the central Statistical Office, although these will specifically be for forecasting crop production. This is done for each sector.

91. To give an indication of food deficit/surplus in a particular year, the National Early Warning Unit produces a computed cereal balance for each province. For the 1990/91 marketing year, for example, the cereal balance (metric tonnes of maize equivalent) was as follows:

Province	Production 1989/90	Anticipated Consumption 1990/91	Balance
Manicaland	358 700	161 300	197 400
Mash. Central	700 000	234 400	466 500
Mash West	459 700	468 900	- 9 200
Mash. East	301 700	310 100	- 8 400
Masvingo	304 900	305 100	- 200
Midlands	255 000	289 200	- 34 200
Mat. South	105 600	296 800	191 200
Mat. North	35 700	133 700	- 98 000
Total	2 522 200	2 199 500	322 700

92. Whereas in 1990/91 there was a net surplus of over 300,000 tonnes, the situation was completely different for 1991/92 and 1992/93, when a net deficit was recorded of over 2.5 million tonnes of cereals, which had to be imported. This was a result of the 1992 severe drought which affected the whole southern Africa region. However, through the Government's Drought Relief Programme (which received considerable assistance from the donor community), food was made available free to the vulnerable groups, particularly the rural dwellers.

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* Roller = corn maize.

The Child Supplementary Feeding Programme was intensified and these efforts managed to contain what could have been a catastrophe following the devastating drought. In addition, communal farmers were supplied with inputs through the distribution of crop packs which contained seed, fertilizers and crop chemicals.

93. Economic policy changes have taken place since the introduction of the Economic Reform Programme in 1991. As regards agricultural policies, a lot of changes have taken place, particularly in pricing policy. Many products have been decontrolled both at producer and consumer levels. Bread and mealie meal prices have been decontrolled and so have prices for beef and milk. However, the Government still controls producer prices of maize and wheat in an effort to ensure that the agricultural production base is sustained.

94. Some of the macro-economic policy changes which have taken place have greatly impacted on the agricultural sector. The devaluation of the Zimbabwe dollar has meant increased benefit for producers of exported products and has taxed producers of locally consumed foodstuffs who have to use imported inputs. In addition, small farmers have found it quite difficult to borrow on the local money market due to the tight money supply situation and the resultant high interest rates.

95. In the light of these factors, the Government continues to support small growers by offering credit at concessionary rates through the Agricultural Finance Corporation. More liberalization is anticipated as the Government goes ahead with the reform programme.

96. Liberalization has seen most prices of basic commodities going up. In addition, a lot of people have been retrenched as the public sector and private companies try to contain their costs. The Government has realized the adverse effects this has had on the affected groups and to this end a Social Dimensions Fund was set up to assist those affected.

97. The Ministry of Agriculture's Departments of Research and Specialist Services and Agritex disseminate information on improved methods of production and conservation to the farming community. However, the problem of low extension worker to farmer ratio still persists, particularly in the light of limited government resources. To complement the government extension activities a number of non-governmental organizations are also involved.

98. One constraint to increased production, particularly in the smallholder sector, is poor infrastructural development. Again, limited resources limit the extent to which the Government can address the problem.

99. In an effort to address the problem of inequitable distribution of land, the Government recently passed the Land Acquisition Act, whereby it is to acquire land to resettle landless people.

The right to adequate housing

100. Zimbabwe is experiencing a housing crisis, especially in its urban areas. This is manifested by:

(i) The mushrooming of illegal backyard extensions in most high density areas, resulting in overcrowding;

(ii) The continued existence of substandard houses which require upgrading; and

(iii) Overcrowded households.

101. The ever-increasing housing waiting lists are estimated to have increased almost twofold to 600,000 during the last 10 years.

102. Studies undertaken by the Ministry of Public Construction and National Housing indicate that the total urban housing demand up to the year 2000 will be about 670,000 housing units. Of this figure, 502,500 (75 per cent) will be for low-income people; 134,000 (20 per cent) for the middle income group; and the rest, 33,500 (5 per cent) will be for the high-income group.

103. This means that an average annual production of 83,750 housing units will be required to eliminate the urban housing shortage by the year 2000. If the current housing supply trend of 14,000 units per annum by both public and private sectors is to be maintained, it will result in a cumulative deficit of 558,000 units by the turn of the century. The latter figure translates into a figure of 2,790,000 people (almost a quarter of the whole population) living in urban areas, in need of housing.

104. A total of 287,000 housing units will also be required to satisfy the housing demand in rural areas by the turn of the century.

105. The World Bank Report defines homelessness as the number of people per thousand of urban area population who sleep outside dwelling units (e.g. on streets, in parks, railroad stations and under bridges). A study undertaken in Harare, the capital city of Zimbabwe, indicates that of its total population of 1,474,500, 1,145 or 0.08 per cent are homeless. Harare has, according to the study, 160,630 dwelling units, of these 132,542 or 82.5 per cent are considered permanent dwelling units, i.e. they are expected to last 20 years or more and 28,088 (17.5 per cent) consist of illegal structures and unauthorized shacks.

Access to basic amenities

106. A study by the Ministry of Public Construction National Housing, "Monitoring the Shelter Sector Performance in Zimbabwe" (1991) indicated the following:

(a) Provision of clean water - Of the households in the survey 42.8 per cent had access to piped water; 41.1 per cent drew water from either protected wells or boreholes; 7.7 per cent drew water from rivers or dams; and 8.5 per cent had no access to protected water.

(b) Sanitation facilities - 32.2 per cent of the households in the survey had access to flush toilet facilities; 41.4 per cent had access to pit/blair or ventilated pit latrines; 21.5 per cent had no toilet facilities; whilst 4.9 per cent had other toilet facilities.

(c) Energy for cooking - Of the households in the survey 71.5 per cent used firewood as their main source of energy for cooking; 18.5 per cent used electricity, 9.4 per cent used Kerosene and 0.7 per cent used coal/gas. In urban low density and high density areas, 95.5 per cent and 67.8 per cent of households respectively used electricity for lighting. In rural and commercial farming areas, 97.4 per cent and 86.6 per cent respectively used kerosene.

107. In Harare alone, 28,088 (17.5 per cent) persons live in illegal structures or unauthorized shacks.

108. In Harare alone, 85,000 persons are currently on the waiting list to obtain accommodation. The number is increasing at a rate of 1,000 persons every month and yet less than 3,000 units were built by the local authority during the last two years.

109. Information is not available on the number of persons in different types of housing tenure.

Laws affecting the right to housing

110. There is no legislation which gives substance to the right to housing in terms of defining the content of the right. However, the Standards Control Act defines the minimum habitable dwelling. The following enactments have a bearing on the provision of housing, including to disadvantaged and displaced people.

(i) The Housing and Building Act, 1979 gives the Minister of Housing and Public Construction the mandate to find funds for housing development, formulate policy and construct houses.

(ii) The Urban Councils Act, 1979 gives local authorities the power to acquire land, plan the land into land use zones and develop the land directly and indirectly.

(iii) The Refugees Act, 1983 obliges the Government to accept and integrate asylum-seekers and refugees into society, affording them decent life-styles, including access to housing, education and health care.

(iv) The Children's Protection and Adoption Act provides for the protection, welfare, interests and supervision of children and juveniles, and the registration of children's centres (homes) and institutions. This Act is meant to cater for the plight of street children, orphans, AIDS victims, etc.

111. The legislation relevant to land use, land distribution, land allocation, land zoning, land ceilings, expropriations (excluding provisions for compensation) and land planning (including procedures for community participation) is the Regional and Town Planning Act, 1976. This Act provides for the general administration of the land, from land planning to land development. This legislation is administered by the Ministry of Local Government, Rural and Urban Development.

112. There is no legislation which directly deals with the rights of tenants to security of tenure, to protection of eviction, to housing finance and rental control (or subsidy) and housing affordability. However, in terms of the Housing and Building Act, the Minister has put in place policies and regulations which address these issues. Under the terms of the Act, a Rent Board has been set up which, among other things, prevents the arbitrary eviction of tenants and ensures fairness to both the tenant and the landlord in the letting of property in accordance with the Rent Regulations.

113. As a result of the economic hardships being experienced in the country due to the Economic Structural Adjustment Programme some families have been failing to meet their mortgage repayments to building societies and other financial institutions and this has resulted in the institutions having to auction their houses. To avoid undue hardships to families faced with losing their homes, the Government promulgated the Presidential Powers (Temporary Measures) (Sales in Execution) Regulations, 1994 (soon to be in the form of an Act of Parliament). Under the terms of these regulations, family homes are saved from auction through the use of the National Housing Fund to pay off the debts, and the debtor will enter into an arrangement with the Government. Debtors normally find the terms of repayment to the National Housing Fund more manageable, as the interest is invariably lower than that of the financial institutions.

114. The Housing Standards Control Act sets the minimum building standards, and minimum standards have been set to ensure the delivery of decent, durable and affordable houses. These standards were recently revised in an effort to reduce the cost of house construction and to make houses more affordable.

115. There is no specific legislation restricting speculation on housing. However, the housing policy stipulates that no one can have more than one residential property developed using public funds. The Building Societies Act allows building societies to charge higher interest rates on loans borrowed by individuals to develop second properties, which may be for speculation.

116. There is no legislation which confers legal title to those living in the "illegal" sector. However, the Government can either upgrade the illegal settlement or resettle the people on other planned residential sites.

117. The law prohibits discrimination in whatever form and the housing policy is that everyone should have equal access to housing. Previously, discrimination in the housing sector was along racial lines and the non-whites were the disadvantaged group. With the enactment of the Immovable Property (Prevention of Discrimination) Act in 1982 such discrimination was prohibited.

118. The Government is encouraging the formation of cooperatives which will put their resources together and build houses for their members. To facilitate this, the Government has urged local authorities to provide cooperatives with serviced or unserviced land for housing development. The Government for its part provides technical assistance to cooperatives in such areas as preparation of topographical survey maps, preparation of lay-out plans, and coming up with civil engineering designs, etc.

119. In an effort to make housing more affordable and accessible for the majority of the low-income people, the Government has come up with new initiatives and innovations, which are being implemented:

(a) Mass production of houses - the turn-key approach - using direct labour construction units;

(b) The use of innovative house designs and economical land use planning to achieve affordability.

120. The Government has embarked on mass production of houses using direct labour construction units to complement current efforts being undertaken by other actors in housing development. These units construct houses, flats, community facilities, and undertake the upgrading of substandard facilities. The new and efficient management systems adopted by the Government have greatly increased the capacities of the construction units, resulting in the speedy and economical delivery of housing units.

121. The innovative house designs and economical land use planning adopted by the Government include the reduction of the minimum stand sizes for high density detached housing schemes from the original 300 m^2 to 150 m^2 whilst the stand sizes for medium density detached housing schemes range from 300 m^2 to 500 m^2. The minimum stand size for semi-detached housing is 105 m^2.

122. Within any given housing scheme, as much land as practicable should be used for residential development. To this end, not more than 5 per cent of the site shall be used for active open space and not more than 30 per cent of the off-site shall be used for community facilities.

123. With regard to infrastructure, all housing estates in urban areas will continue to be serviced with running water, sewerage reticulation, electricity, access roads and storm water drains. In addition, the sealing of roads shall be maintained on bus routes and major connector roads. However, where appropriate, use of in situ granitic materials for wearing course on low-volume plot access roads shall be encouraged.

124. With regard to superstructure, the number of rooms a beneficiary can start with is one room. In addition, farm bricks, non-fired earth materials reinforced with welded wire mesh and prefabricated panel of a government approved design can now be used for the construction of single storey houses.

125. The Government has come up with innovative house designs such as "cluster" house design with a minimum of four rooms and plinth areas varying from 36 m^2 to 40 m^2 per unit. With the cluster arrangement, the estimated saving as compared to the cost of constructing a four-roomed detached core with a plinth area of 50 m^2 is over 30 per cent.

126. In all new schemes, emphasis is on mixed housing development which will include the construction of walk-up flats, detached and semi-detached houses and clusters. These new planning standards will not only reduce the cost of construction but will make a significant contribution in curbing urban sprawl and reducing transportation and off-site infrastructure costs.

127. Houses currently being built by the Government through its construction units are either for rental or are sold on a rent-to-buy basis.

Financial measures taken by the State

128. In order to facilitate access to affordable housing by low-income people, the Government operates the National Housing Fund (NHF) and the Housing Guarantee Scheme. NHF loans to local authorities are for both servicing and housing construction, at current interest rates of 11 per cent per annum over a 30-year repayment period. The Housing Guarantee Scheme enables both civil and non-civil servants to acquire housing loans from building societies. For civil servants, the scheme will guarantee the first 30 per cent of the loan, with the building society assuming the risk for the remaining 70 per cent. This is called the 100 per cent scheme. Under this scheme, a public servant is able to obtain a loan equal to the purchase price of the dwelling unit. At present, loans of up to $160,000 may be secured by civil servants.

129. The other loan programme is generally referred to as the 90 per cent. This is offered to non-civil servants to enable them to obtain a guarantee on payment of a deposit equal to 10 per cent of the purchase price of the house. The Government then guarantees the top 20 per cent of the loan, with the building society, as in the case of the 100 per cent scheme, taking the remaining 70 per cent risk. In all cases, it is the responsibility of the borrower to obtain the mortgage loan.

130. In an effort to encourage greater participation of building societies in the provision of housing for all income groups, the Government, in 1986, permitted building societies to issue 9 per cent (now 19.75 per cent). Interest tax-free Paid Up Permanent Shares (PUPS). This statutory instrument stipulates that each building society would, at the end of its financial year, make up to 25 per cent of the money invested in these shares available for the purpose of financing low-income housing projects. This move was also taken to make societies more competitive in relation to other financial institutions in terms of their ability to attract savings for generating mortgages.

131. Other measures being taken to improve the housing finance situation include the tapping of pensions, insurance and blocked funds, and the issuing of housing Negotiable Certificates of Deposit (NCDs) by building societies.

132. Besides building societies, employers play a significant role in low-cost housing development by providing housing for their employees. There are three options under the employer assisted housing schemes.

(a) Employers are allocated serviced stands by local authorities and construct houses for their employees.

(b) Employers are allocated land to service and construct houses for their employees. This approach is designed to ease the shortage of serviced stands.

(c) Employers establish housing loans and guarantee schemes for their employees.

133. The following table shows the priority accorded to housing in Zimbabwe since the 1982/83 financial year.

Housing monetary provisions in comparison to Ministry and global budget

Year	Global budget ($billion)	Ministry's provision ($million)	Housing provision ($million)	% of Ministry's provision	% of global provision
1982/83	2.2	61 374	59.5	96.9	2.7
1983/84	2.1		31.7		1.5
1984/85	2.6	102 417	34.8	34	1.3
1985/86	2.8	134 940	52.9	39.2	1.9
1986/87	3.7	179 579	35.3	19.7	1.0
1987/88	3.9	254 754	34.9	13.7	0.9
1988/89	4.5	371 590	30.8	8.3	0.7
1989/90	5.1	386 585	39.9	10.3	0.8
1990/91	6.9	456 876	45.8	10.0	0.7
1991/92	7.9	552 066	34.7	6.3	0.4
1992/93	10.6	687 559	66.5	9.7	0.6
TOTAL		3 187 740	466.8		

The table shows that the funds allocated to housing have actually been declining since 1982/83 when 2.7 per cent of the global total went to the sector.

134. The following measures have been taken to encourage the development of small and intermediate urban centres, especially at the rural level:

A total of 55 growth points and 450 rural service centres have been developed in Zimbabwe as focal points for rural development;

Tax incentives have been given to investors who want to establish business ventures at growth points and rural service centres;

The Government is providing the necessary infrastructure, i.e. bulk water supply, reticulate sewer, roads, electricity and postal services;

The government administrative structure has been decentralized to these centres;

The Government also provides loan funds to the respective local authorities for housing and its related infrastructural services.

135. For the upgrading of slum housing in urban areas the Government provides loan funds to local authorities. To ensure affordability, the upgrading involves the beneficiaries themselves through aided self help.

Article 12. Right to the enjoyment of the highest attainable standard of physical and mental health

136. The Government has provided information to the United Nations on the physical and mental health of the population in several publications, through UNICEF and the World Health Organization, i.e.:

Children and women in Zimbabwe - A Situation Analysis
Update July 1985 - July 1990. UNICEF and Republic of Zimbabwe;

Zimbabwe National Programme of Action for Children - Our Second Decade of Development, Harare 1992.

137. The Government has outlined the national health policy in the Ministry of Health publication "Planning for Equity in Health - A Sectoral Review and Policy Statement, Harare 1994."

138. The primary health care approach has been adopted as part of the health policy of Zimbabwe. The approach coincided with the country's desire for social justice through the redressing of the inequalities inherited from the colonial past. The following measures have been taken to implement primary health care, thereby reducing some of the grow disparities between, particularly, the rural and urban populations of the country.

(a) Accessibility to health services

139. An extensive construction and upgrading of rural health facilities has been undertaken to ensure that the sick do not have to walk for distances of over eight kilometres to reach a health facility. In addition to all the other health facility provision endeavours, the State, through Phases I and II of the Family Health Projects, is undertaking the construction and upgrading of 240 district hospitals and 133 clinics.

140. Measures to promote access to health care fall under the Public Sector Investment Programme (PSIP). Whereas the Ministry of Health would want to address the need for rural health centres, district hospitals and provincial hospitals, everything depends on the money allocated for PSIP and this money is not always sufficient. The resources available to the Ministry are limited. For example, the Ministry made a commitment to build two rural health centres per province per year, but since 1988 the Ministry has been able to build only 24 rural health centres in all the eight provinces.

141. Other problems experienced are shortage of transport and equipment. For instance, there is an absence of ambulances in a number of major health institutions. There is also a shortage of technical staff, such as doctors and radiographers.

(b) Affordability of the services

142. Free medical care was established for those earning Z$ 150.00 per month at independence and the threshold was raised to Z$ 400.00 per month in 1992. However, in view of the economic changes the threshold is no longer realistic. With effect from 1 March 1995 the Government introduced an exemption for the rural population. They now get the services free.

143. An essential drugs list was adopted to ensure that the cost of the drugs to the country is affordable while at the same time meeting the population's need for the drugs that are essential.

(c) Acceptability of the services to the people for whom they are provided

144. Decentralization of the planning process to encourage community participation enables, to some extent, the incorporation of the people's wishes in the establishment and running of the health services serving them.

145. Communities select one of their own members to work among them in health promotion activities and to be the link between the communities and the health services.

146. There are to date about 7,000 trained village health workers or community health workers, about 1,000 farm health workers serving the commercial farming labour communities and 100 camp health workers chosen by the camp population in the country's five refugee camps for displaced Mozambicans.

147. Traditional midwives' skills have been upgraded with emphasis on hygiene and referral of women at risk to clinics and hospitals.

148. Traditional healers have been taught about the dangers of spreading diseases like AIDS through the use of unsterilized razor blades. Traditional medicine remains acceptable to a large section of the population and has been recognized by the Government through the establishment of the Zimbabwe National Traditional Healers Association (ZINATHA).

(d) Appropriateness of the services to the needs of the people

149. The mainly curative health services established by the colonial administration served the interests of the minority, mostly urban, section of the society and ignored the majority rural population who suffer and die from diseases of poverty. The women of child-bearing age and children under the age of five years were shown to shoulder the heaviest burden of ill health in the country. This led to the establishment of the Maternal and Child Health and Family Planning Department in the Ministry of Health. The Department's

task is to ensure that family planning, antenatal and post-natal immunization, proper nutrition, rehabilitation, child care and hygiene are available to all the mothers and children in the country through health education.

150. The water and sanitation programme has reached 78 per cent coverage for water and the provision of Blair Ventilated latrines for the rural areas had increased from 0 to 24 per cent coverage by 1991.

151. The Department of Epidemiology and Disease Control has the task of ensuring the control of endemic diseases like malaria, schistosomiasis, leprosy, rabies, tuberculosis and the plague.

152. Rehabilitation services have now been expanded to reach even those in the remote rural villages through community based rehabilitation. A total of 24 projects had been established, averaging about three projects per province, by June 1993.

153. Three provincial mental health care units and two Central Hospital based units have been established in an effort to reform mental health care from the mostly custodial care of the past and enable the mentally ill to receive care as close to their own homes as possible.

154. The training of health personnel has been restructured to reflect the conditions which afflict the majority of the people and includes community attachments for all students during their training.

155. The AIDS Prevention and Control Programme has been established to combat the spread of HIV and AIDS.

156. For the 1994-1995 financial year $1,066,839,000 out of a total budget of $20,728,201,100 was allocated to the Ministry of Health. This compares with $923,208,000 out of $18,058,072,100 allocated for the previous financial year, a net increase of $143,631,000.

157. For information on the infant mortality rate please refer to our first report under the Convention on the Rights of the Child.

158. The percentage of the population having access to safe water is:

Urban - 100%
Rural - 78%

159. For population access to adequate excreta disposal facilities, the percentage figures are:

Urban - 100%
Rural - 24%

160. For information on infants immunized against diphtheria, pertussis, tetanus, measles, poliomyelitis and tuberculosis, please see tables provided. 1/ Data desegregated by sex are not available.

161. For information on life expectancy please see the table provided. 1/ Socio-economic desegregation is not possible and has been substituted by the level of education of the mother.

162. The Ministry of Health's Maternal and Child Health Survey of September-October 1991 found that 80 per cent of the country's mothers and children under the age of five years have access to static health facilities and are in the majority of cases attended by trained personnel. Women of child-bearing age and children under the age of five years form 41.5 per cent of the population. It is estimated that the mothers travel on average 5 to 10 kilometres to reach the health facilities. In 1990 the country achieved 80 per cent availability of essential drugs at rural health centres and 90 per cent availability at district hospitals.

163. At least 72 per cent of expectant women in the country were attended by trained health personnel in 1991. The proportion is higher because a large proportion of women in the major towns are attended by private medical practitioners and are not reflected in the national figures. The central hospitals which are situated in the major towns also report erratically. Maternal deaths are not reported separately for those who died before and after childbirth but are defined as those women who die as a result of pregnancy up to six weeks after delivery.

164. About 80 per cent of infants have access to trained personnel for care as this is the coverage rate for all infant immunizations. There are no independent data specifically addressing the infants attending health services for illnesses. All immunizations in the country are performed by trained personnel.

165. Zimbabwe still experiences the urban/rural divide, with a child born in the rural areas twice as likely to die in infancy as a child born and raised in the urban areas. The differences are discernable in all the other health indicators and are a result of the inequitable distribution of wealth and infrastructural development in the country, the bulk of whose population live in the rural areas. Those who live in remote rural settings away from the main urban centres are the most disadvantaged.

166. The Economic Structural Adjustment Programme (ESAP) has adversely affected the poor by eroding the gains in social services, particularly education for their children and health care provision, as a result of cuts in public expenditure and retrenchment of mostly the unskilled and semi-skilled workers.

167. The stringent cost-recovery exercise introduced as a result of the ESAP puts the onus on the poor to prove that they are unable to pay and do not earn

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1/ Available for consultation in the secretariat.

the stipulated Z$ 400 per month, leading many people to avoid use of the health services.

168. Government subsidies on essential food commodities have been removed, making the basic staple food unaffordable to the poor.

169. In addition to the adverse effects of the Economic Structural Adjustment Programme, the poor were most seriously affected by the severe drought experienced by the country during the 1991/92 season.

170. The population of the remote rural areas was the hardest hit by the political instability of the neighbouring countries, in particular Mozambique, as they were caught up in the crossfire of the armed bandits and the outbreaks of such diseases as cholera in these border areas.

171. There is no universal health and social security scheme in the country to cushion the poor in harsh economic times. However, the Government has set aside funds in the Social Dimensions Fund of the Economic Structural Adjustment Programme to assist with the payment of school and hospital fees for those who can prove that they earn less than Z$ 400 per month.

172. The Government has established a child supplementary feeding programme as a measure to combat the perennial problem of malnutrition among children, and drought relief in times of food shortages.

173. The provision of safe water and proper sanitation, immunization of all children under the age of five years and spraying to kill vectors in the remote rural areas are all intended to reduce the spread of communicable diseases which afflict mostly the disadvantaged rural populations.

174. The construction of health facilities where none existed before and the upgrading of the available few is intended to increase the rural population's access to the health services. The medium- to long-term goal is to reduce the distances people have to travel to reach a health facility to a maximum of eight kilometres.

175. Zimbabwe achieved the global goal for universal child immunization of 80 per cent coverage for all six antigens in 1990.

176. Early booking in and care of all expectant mothers; Zimbabwe's antenatal attendance coverage is 90 per cent of all expectant mothers.

177. Delivery by trained health personnel in health facilities; 70 per cent of all the expectant women deliver in health facilities.

178. There is general improvement in the health status of the population since independence as reflected in the health indicators. However, problems have been encountered as a result of:

(i) Reduced funding for developmental projects such as roads, bridges, dams, schools and hospitals, as well as rural electrification and rural telecommunications, as a result of stagnation in economic growth, leading to the restructuring of the economy in the

Structural Adjustment Programme. The stiffer competition with stronger economies has led to retrenchment of workers, who have no social security in times of need. Many of the retrenched are not properly informed how to take advantage of the Social Dimensions Fund.

(ii) The drought reduced food availability and water to the remote areas and to the general rural population as many of the safe water points provided dried up.

(iii) Access to the remote areas is improving as more clinics and other social services are reaching them.

179. The problems encountered are those connected with inadequate funding due to the economic constraints facing the country.

180. The following measures have been taken by the Government to reduce the stillbirth rate and infant mortality and to provide for the healthy development of the child:

Early booking in of expectant mothers who receive medical examinations to detect anaemia and other nutritional deficiencies;

All the safe motherhood initiatives;

Immunization of mothers to prevent neonatal tetanus;

Encouragement of all women to deliver their babies in health facilities under the care of trained health personnel;

The training of midwives, both traditional and conventional;

The strengthening of the referral system through the provision of ambulances and medical equipment;

Encouragement of breast-feeding of children for as long as possible;

Immunization of all children against the six child killer diseases;

Growth monitoring of children to detect stunted growth;

Implementation of the school health programme to ensure that the school going age children who require care receive it as early as possible;

The supplementary feeding of both children and lactating mothers in periods of food shortages;

Family planning to prevent the FOUR TOOS, i.e. family planning availability to all in order to safeguard the lives of the women by advising women against having children when they are too young to have them, having too many children, too frequently and when they are too old to have them;

Treatment and health education to prevent the spread of sexually transmitted diseases, including AIDS;

Universal post-natal examinations;

Expansion of midwifery training to ensure that each rural health centre has at least one trained midwife equipped with all the safe motherhood initiatives;

Equipment of all rural health centres to offer maternity services in addition to all the other services available at the primary level of care by the year 2000;

Upgrading of all traditional midwives;

The intersectoral integrated water and sanitation programme is intended to ensure at least 80 per cent coverage by year 2000;

Phases I and II of the Family Health Project are intended to ensure that all the country's districts have a district hospital managed either by central government or church missions.

181. The following enactments are intended to provide for and improve environmental and industrial hygiene:

(i) The Food and Food Standards Act provides for the:

Inspection of food processing;

The analysis of the levels of pesticides in farm produce;

Routing analysis of water for fitness for human consumption and control of water pollution.

(ii) The Hazardous Substances and Articles Act and Regulations provide for the policing of industry to ensure industrial waste is disposed of in ways not injurious to health;

(iii) The Atmospheric Pollution Prevention Act, Factories and Works Act and Pneumonoconiosis Act provide for:

Control of environmental pollution including air pollution;

Occupational health;

Industrial hygiene.

(iv) The Public Health Act provides for:

The control, treatment and prevention of communicable diseases;

Waste disposal;

The provision of safe drinking water and proper sanitation;

The inspection of all building plans;

The inspection of trading premises including factories to ensure safety at workplaces.

182. The measures taken by the Government to prevent, treat and control epidemic, occupational and other diseases are the establishment of:

The Environmental Health Department;

The Department of Epidemiology and Disease Control;

The Expanded Programme on Immunization;

The Blair and De Beers Research Institute for research into communicable endemic and epidemic diseases;

A government analyst to ensure safe water and food;

The Department of AIDS Prevention and Control;

Curative health services at all levels:

(i) Primary level:
Rural health centres and rural hospitals;

(ii) District level:
District hospitals with medical doctors (general practitioners);

(iii) Provincial level:
Provincial hospitals with specialist doctors;

(iv) Tertiary level:
National referral centres with specialist services - the country's teaching hospitals.

183. The measures taken by the Government to assure to all medical service and medical attention in the event of sickness are the provision of appropriate health facilities at each level of the health services equipped with appropriate drugs and equipment, and manned by appropriately trained health personnel, as well as an ambulance service to transfer the ill to the appropriate referral level when necessary. The problems raised in paragraphs 140 and 141 above also affect this area.

184. With regard to the effect of the measures listed in paragraphs 180 to 184 above on the situation of the vulnerable and disadvantaged groups in society and in any worse-off areas, government efforts are directed at reaching the most disadvantaged groups through the desire for growth with equity.

185. The aged in Zimbabwe are treated like any other group. They receive care according to their means. If they are old and poor they receive free care and if they earn over Z$ 400 per month through their pensions or otherwise then they pay for health services.

186. Planning, organization, operation and control of primary health care has been through the establishment of community health workers chosen by the community from among the communities themselves.

187. Structures have been established within the local government sector of village development committees, ward development communities, district development committees and provincial development communities in which all the sectors concerned with development including non-governmental organizations participate.

188. Measures taken to provide education concerning prevailing health problems and measures of preventing and controlling them are:

The establishment of the Health Education Department within the Department of Maternal and Child Health and Family Planning;

The establishment of the Information Education and Communication Unit in the Family Planning Department;

The inclusion of Health Education in the curriculum of all health cadres;

The establishment of the AIDS prevention and control programme.

189. The following table shows government expenditure on health services and the level of external assistance for the period 1989-1994 (in Zimbabwe dollars).

Financial year	Government	External assistance	Total	% external assistance
1989/90	386 228 000	22 151 000	408 379 000	5.42
1990/91	489 067 000	38 508 500	527 575 500	7.30
1991/92	585 906 000	55 292 000	641 198 000	8.62
1992/93	722 780 000	104 224 000	827 004 000	12.60
1993/94	923 208 000	171 359 000	1 094 567 000	15.66

190. The role of international assistance in Zimbabwe is centred on primary health care and this has been found to be the most cost-effective method. Some donor agencies (multilateral, bilateral and NGOs) have help in various activities in the health sector. USAID, UNICEF and WHO have helped the Ministry of Health, mainly in workshops and seminars in technical training. The other major donors have helped in water and sanitation, nutrition, community-based rehabilitation, EPI vaccines, farm health workers' programme,

maternal and child health, the construction of multidisciplinary training schools, manpower development, the National Aids Coordination Programme, etc.

191. The donor community has played a big role in improving the services in rural health facilities. Various programmes have been initiated and carried out successfully throughout the districts.

192. The number of rural health centres built by both the Government and donors has enabled many people to have easy access to health services. Moreover, the support the Ministry has received from the donor community is quite impressive. Merely looking at the figures alone one can see that in the last five years support has increased eightfold. No donors have withdrawn their support during the same period.

Article 13. Right to education

A. Primary and secondary education

1. Achieving the full realization of the right of everyone to education

193. Over the last few years there have been no major policy shifts with regard to the Ministry of Education and Culture's continual efforts towards the fuller realization of the right of everyone to education. There have, however, been actual and proposed structural changes and changes in strategies to expand the Ministry's capacity to attain its original goals and targets during a period characterized by several socio-economic changes. This is explained in greater detail in the paragraphs that follow.

194. The Government has maintained the position that education is a basic human right, and remains firmly committed to the provision of a relevant, quality education to everyone. Its efforts, targets and strategies have been guided by policies aimed at providing equalized educational opportunities through expanded access, a common curriculum offered by a unitary system of education, and concerns of affordability. The responsibility of providing educational facilities has, in the main, been shed to the local communities who, under a new policy, are required to form school development associations. Generally, everyone has access to primary education, and whilst the gross enrolment ratio is over 100 per cent, the net enrolment ratio is nearly 100 per cent, although a measure of national sacrifice has had to be made to realize this, as explained in sections 2 and 4 below. Short of setting in motion the logistics aimed at compulsory education, there is legal and policy support for compulsory primary education (see sect. 2 below). Tuition fees have been reintroduced in primary education as part of the broader economic reform programme and its attendant cost-recovery imperatives. However, there have been adequate safeguards against the violation of children's right to primary education. Rural schools have, therefore, remained free of tuition fees, since they are characterized by conditions of relative socio-economic deprivation. Fee structures for the rest of the primary schools have generally been kept at affordable levels and are drawn up on a sliding scale which gives financial relief to the economically less endowed sections of the community. Furthermore, a mechanism has been put in place to ensure that economically disadvantaged pupils benefit from the financial support offered by the Social Development Fund (SDF) (see para. 207 below).

Technical and vocational education

195. The education and training systems strive to provide equal opportunities to all Zimbabweans regardless of race, sex, tribe and creed, region of origin or social and economic group.

196. There are seven technical colleges and three vocational training centres. The functions of the technical colleges and training centres include development of manpower for all sectors of Zimbabwe's economy through institutional training, upgrading programmes and trade testing of workers in industry who possess no certificates of competency.

197. Technical colleges offer training in four broad areas:

Engineering and other related fields;

Commerce;

Applied Arts and Science;

Pedagogy technical training.

198. Training centres concentrate mainly on offering trade specific courses through which experienced persons employed in a recognized trade have their level of competency upgraded or tests on an approved classification system. The duration of training varies by area as well as level of attainment. Courses are identified and modified through regular interaction and consultations with industry and commerce through the National Manpower Advisory Council, which is constituted by the Ministry and industrialists.

199. The programmes offered at the vocational training schools are based on cycles of modular training, separated by industrial experience. At the end of training the trainee sits for trade tests and is upgraded if successful. Workers who have gained all skills required to pass trade tests purely through work experience (not less than four years) are assessed/upgraded in plant or on site under separate programmes.

Apprenticeship programme

200. This programme offers another option of acquiring technical training. Apprenticeship training is a combination of on-the-job training carried out under supervision of skilled workers, and related supplementary classroom instruction. There are three technical colleges involved in apprenticeship training. Classes are currently held on a full-time block release, sandwich or day-release basis, while practical training on the shop floor is closely monitored by the Ministry's Industrial Training Division. The entry qualification for the apprenticeship programme is five "O" levels including English, Maths and a Science subject. The Industrial Training Division has over 80 occupations designated as apprenticeship traders in the following areas:

The aircraft maintenance overhaul and repair industry;

The building industry;

The mechanical engineering industry;

The electrical engineering industry;

The automotive engineering industry;

The printing, packaging and newspaper industry;

Hairdressing.

Private training institutions

201. There are currently 125 training institutions offering training almost exclusively in business, commercial and secretarial skills. Pre-service vocational and technical training programmes are also conducted by a few of these colleges. Most of such institutions are in urban areas, and a few in rural areas.

The duration of courses offered at private training institutions varies from three-month refresher courses to a three or four year part-time diploma course. Some of the private institutions offer specialized courses at the request of companies for company employees.

Adult and non-formal education

202. Ministry of Education and Culture has a Division of Adult and Non-Formal Education which implements programmes of fundamental education for all those who, for some reason, failed to get the full benefits of formal primary education. The adult literacy and mass education programme and the Zimbabwe Adult Basic Education Course (ZABEC) aim at giving young and adult learners literacy, numeracy and functional skills which serve to expand their capacities for personal development and more meaningful socio-economic contributions. This is achieved through a consolidated but more flexible, non-formal primary education course (an alternative to the formal programme, offered on the principle of parity of esteem), and through skills-related programmes which are relevant to the socio-economic context. The primary school course naturally offers learners opportunities to pursue post-primary programmes of study, either through formal or non-formal means, depending on age, preferences and personal circumstances.

2. Difficulties encountered, time-related goals and benchmarks

203. The Government of Zimbabwe was under pressure to implement a wide range of measures designed to give authenticity to its cardinal ideal of conferring the right to education on everyone against the backdrop of a depraved, discriminatory and segregatory colonial system of education. The achievements over the last 13 years have been spectacular, albeit at an enormous sacrifice of national resources. Several difficulties and obstacles have, however, been encountered. Some of them are outlined below.

204. Notwithstanding the measures outlined in the paragraphs above, the equitable provision of educational services throughout the country has been difficult in several instances. In particular, the establishment of schools in sparsely populated areas has presented the dilemma of economic rationality versus policy ideals. By sticking to the stated maximum catchment areas for school establishment (in geographical or spatial terms), the schools in agroeconomic Regions IV, V and VI (semi-extensive farming, extensive farming and game/national park areas) have tended to have very low enrolments, with adverse consequences on school viability. In such schools, the full implementation of the curriculum can only be realized through the provision of staff, financial and material inputs which far exceed these schools' normal quotas. In extreme cases, it has been found to be economically and pedagogically more reasonable to send children from these marginalized areas into boarding schools built by the State. In many cases, such children cannot afford the boarding fees, and the opportunities opened up for them are taken up by children from less disadvantaged areas. An evaluation of the education services in such areas has now revealed the full extent and nature of the problems and the Government has decided to honour and respect such children's rights to education irrespective of the costs incurred. It is estimated, however, that maximum distances between schools in such areas exceed those stipulated, and some children might still remain disadvantaged in this respect.

205. Zimbabwe is an agricultural country, and has many large-scale commercial farms which are privately owned. Not all farm owners provide educational facilities for their farm workers' children. In many cases the cost factor tempts them to provide substandard schools. Since the land is privately owned, the Government cannot exert undue pressure on farmers to provide educational facilities of the required standards. On the other hand, the Government cannot construct schools on land which does not belong to it. It can only persuade. The Government, therefore, has persuaded farmers, to cede part of their land to it and, once subdivided, the Government would construct schools on it. However, there are numerous instances where it still meets with resistance from farmers. Moreover, farm workers are among the lowest paid workers in the country, and they do not have much security. As a result they are often less able and less inclined to contribute much towards school construction.

206. The drought in the 1991/92 season has been one of the worst in Zimbabwe's recorded history. Rural communities have not only had their capacity for schools support eroded thin, but they also have had immense difficulties in meeting the incidental costs needed to maintain their children in school. Furthermore, many children went hungry, and often had to engage in various activities to help most families' primary basic needs (food, health etc.). Periodical surveys by interministerial sentinel surveillance and monitoring teams recorded lower school participation rates as well as widespread under-nourishment among children. The Government's immediate response was the implementation of the school supplementary feeding scheme, drought relief programme, and a drought recovery programme whose aim was to alleviate immediate threats to families and children's welfare as well as ensuring that a similar state of affairs would be forestalled in future.

207. Zimbabwe adopted an economic reform programme (Economic Structural Adjustment Programme or ESAP) which deregulated the economy by allowing a greater freedom of open market forces as well as cutting down on government expenditure on social services. As a result, prices of basic commodities and services were pushed up, and families' real income was generally eroded. Naturally, the education of children in some cases was placed much lower on the list of priorities, and was considered only after other basic needs such as food, shelter and health had been met. By January 1993, for example, secondary school enrolments had fallen by an estimated 16,000 pupils, although this could also be attributed to other causes. The interministerial sentinel surveillance and monitoring teams kept such developments under close scrutiny, and, as part of a broader strategy to alleviate hardships, the Social Development Fund was set up to assist indigent families with the payment of school fees. So far, over 10,000 children have benefited from it. The good 1992/93 season should offer hope for an upturn in enrolments.

208. The vocationalization programme has proved an expensive venture because vocational/technical subjects require a lot of expensive equipment, specialist facilities and trained manpower. Cutbacks on educational expenditure have slowed down government provision of the requisite equipment and facilities where little or none existed before, and communities have not had the opportunity to make sufficiently large capital outlays to support this effort. Continual efforts are being made to diversify the source of funding for the programme, with calls upon donor agencies, industrial and commercial concerns, communities and individuals to lend support to the vocationalized programme.

209. Despite the massive effort made in providing fundamental education, the response rate has been lower than expected, as the statistics in section 3 would reveal. The Ministry is re-examining the underlying assumption of past and current strategies, particularly the assumption that those who missed out on the benefits of formal education will not only "see" the alternative opportunities offered, but that they will also be rational enough to seize them. More aggressive strategies are being contemplated.

3. Statistical information

(a) Number of schools (1994)

Primary schools	4 611
Secondary schools	1 521

(b) Enrolments (1994)

Literacy classes and ZABEC	60 000
Primary school education	2 476 575
Special primary school	2 707
Secondary school education	679 416

(c) Dropout rates (1992, latest figures not available)

Grade 1 - 7:	Average:	5.5%
	Grade 7 only	8.1%
	Girls	8.8%
	Boys	7.4%

Secondary:	Average Form I - IV		11.3%
	Form IV only:	Girls	25.6%
		Boys	15.7%
	Lower VI only:	Girls	30.4%
		Boys	4.0%

4. Education, budget, school system and development

Budget

210. The 1994/95 education budget is Z$ 2,974,855,000 and this constitutes 13 per cent of the national budget and 18 per cent of voted funds, supplementary allocations excluded. The budget was made up as follows:

Primary school Z$ 1 862 490 000 (62.2% of the education budget);

Secondary school Z$ 952 280 000 (32.8% of the education budget).

School system

211. Zimbabwe operates a unitary system of education divided into:

(i) Early Childhood Education and Care (ECEC) (Pre-school education for the under sevens);

(ii) Primary education (seven years) for 7 to 14 year olds;

(iii) Secondary education: two years for junior secondary (Form I and II or ZJC); two years for senior secondary (Form III and IV or "O" level); and two years for upper secondary (Lower VI and Upper VI or "A" level).

212. At present only 17 per cent of the under sevens gain access to ECEC. Nearly 100 per cent gain access to primary education, and have unhindered progression (automatic promotion) through the seven years of primary school. There is also unhindered progression from junior to senior secondary school at the end of which for the vast majority, there is a terminal ("O" level) examination. Progression to "A" level is strictly on merit (based on "O" level performances), and only about 7 per cent of the "O" level graduates gain access to it through formal school.

213. The education system has a total of 58 district offices coordinated by 9 regional offices which, in turn, are coordinated at the national level by Head Office.

214. Schools are classified into P1, P2 and P3 primary schools purely for purposes of rationalizing fee structures and for disbursing of per capita grants. P1 schools, which are the most endowed, have higher fees and will get per capita grants at the lowest rates. P3 schools, which are the least endowed (most of them in rural areas) have no fees, and will get per capita grants at the highest rates. A similar system applies to secondary schools classified as S1, S2 and S3.

215. Most schools are day schools, and at present the Government discourages the establishment of boarding schools because they are expensive to put up and to maintain.

216. The Government discourages the building of new primary and secondary schools except in cases where the need can be adequately justified within the provisions of current policies. Rather, it favours the expansion of existing ones and tries to improve the quality of and to consolidate the existing ones through the provision of more, high quality resource inputs. New schools are largely established in areas where educational facilities are inadequate or non-existent, for example, in newly established resettlement areas. Nevertheless, there is a planned and phased "A" level schools construction programme to accommodate more "O" level graduates. "A" level schools are national institutions which draw students from every part of the country and are, of necessity, largely boarding institutions.

217. Generally, no child is expected to walk more than 6 km to a primary school, except if he/she chooses to do so (i.e. there is a primary school within 6 km of every child). Similarly, no secondary school pupil is expected to walk more than 11 km to a secondary school.

218. Schools operate on a 37-week year spread across three terms (January-April; May-August and September-December). Zimbabwe observes a five-day week of full-time instruction. In its formal system, the school day stretches from 7.30 a.m. to 4.30 p.m., with adjustments in schools which, because of the shortage of facilities, are forced to have double sessions (mainly in urban areas).

5. Equality of access and measures to promote literacy

219. Access to primary education is universal and equalized, and the ratio of males to females at this level of education is 50.4 : 49.6. The ratio of females, however, drops progressively at lower and upper secondary levels. The male to female ratio at lower secondary (junior and senior secondary school) currently stands at 56 : 44 whilst the corresponding ratio at upper secondary ("A") level is even lower. This raises issues of gender inequalities which the Ministry of Education and Culture is striving to redress through a variety of strategies, among them the sensitization of school heads and teachers as well as parents (through school development associations) on gender issues, anti-discriminatory and positive discrimination in the selection of teachers for training and promotion procedures for teachers, and general attitudinal change efforts at all levels. In the current programmes of direct support to disadvantaged children, girls get a clear preference through the employment of a 3 : 7 male to female ratio.

220. In non-formal education, the picture, as would be expected, is just the opposite. In the basic literacy programme, the male to female ratio is 18 : 82, whilst in the ZABEC programme the corresponding ratio is 26 : 74.

221. Whilst every effort has been made and is being made to ensure that the vulnerable and disadvantaged groups' educational right is fulfilled and

educational needs are met, in a variety of ways the following groups constitute the sectors of the population which remain the Government's continued concern.

(i) Certain cultural minority groups who were ignored in the provision of education, or the provision of a suitable curriculum which took into account their cultural values;

(ii) Populations resident in the formerly neglected rural areas, particularly in commercial farming areas where education provisions were (and still continue to be) few and of comparatively lower quality;

(iii) The communities in the remote parts of the country, where access was difficult and efforts towards their development were minimal or absent;

(iv) The poor sectors of the community, be they urban or rural, which could not, and still cannot, establish, maintain and support quality educational provisions, and whose environment provides limited opportunities for learning;

(v) Women and girls, particularly among the Black (African) communities, who have culturally been regarded as inferior to their male counterparts, and so who have traditionally had limited access to basic education because of various forms of stereotyping and negative attitudes;

(vi) Those who were formerly denied access to basic education through meritocratic policies and bottlenecking, and who are still weak bargainers in the determination of social values and so continue to be victims in society;

(vii) The disabled and handicapped (for example, physically disabled and mentally retarded) who are victims of the war, accidents, natural deformity or impairment, who would not benefit much from the normal school programme; and

(viii) The displaced (for example, refugees, ex-refugees, ex-combatants, and "street kids") who have no support from parents and guardians, and so who still exhibit a marginal existence attached to no single person or group of people.

222. The Government's greatest concern is, justifiably, the one of correcting gender inequalities, particularly as they relate to young girls at the upper primary school and post-primary school levels.

223. As a result of the measures outlined in paragraphs 204 to 207 and in paragraphs 219 and 220 above, the Government has progressively achieved a greater measure of equity in the provision of educational opportunities to learners in different circumstances. Further to its avowed policy position which serves as the basis for affirmative action Zimbabwe is a signatory to the final document of the 1990 Jomtien World Conference on Education for All,

as well as the follow-up conferences (the 1990 New York conference, the 1992 Dakar conference and the Nairobi conference). The Government of Zimbabwe continuously strives to meet the basic learning needs of all learners, with a high level of sensitivity to disadvantaged groups. Its subscription in 1991 to this, the International Covenant on Economic, Social and Cultural Rights, further demonstrates its commitment to the progressive achievement of these ideals. These have served as guideposts to its targets and programmes of action.

224. In Zimbabwe, curriculum policy-guidelines require that children be taught in their mother-tongue and their home dialect during the first three years of their primary education. Subsequent years should then see them learn at least one foreign language (English) to facilitate official and international communication. Recently, there have also been vigorous efforts to teach French, Portuguese and Afrikaans wherever facilities and competent teaching personnel are available. Non-native learners are required to learn one of the two major native languages, namely, Shona or Ndebele.

6. Conditions of teaching staff

225. All teachers employed by the Ministry of Education and Culture are civil servants. Their conditions of service are governed by the relevant Public Service Regulations and, as such, they enjoy benefits such as security of tenure, membership of medical aid facilities, a transport allowance, a contributory pension scheme, housing, car and study loan facilities, and opportunities for professional growth. Teachers also have safeguards against unfair treatment of victimization. They have two professional associations, the Zimbabwe Teachers' Association (ZIMTA) and the Zimbabwe Teachers' Union (ZITU), although the Ministry of Education and Culture has recognized only the former. As of now, teachers' salaries are equated to the salaries of other civil servants who hold similar qualifications and who occupy similar grades. However, their pay structure does not tally with their experience and length of service. The Ministry is striving hard to retain highly motivated, qualified and experienced teachers in the system by improving their living conditions.

226. In pursuit of this objective, it has encouraged communities and the Responsible Authorities to provide decent residential accommodation for teachers, particularly in rural areas. The Government provides some accommodation whenever it can do so, and has constructed at least one standard teacher's house at every rural non-government school, using donor funds. Furthermore it continues to pay building grants-in-aid to assist the Responsible Authorities in building teachers' houses and classrooms.

7. Schools established and administered by non-government authorities

227. In Zimbabwe 92.8 per cent of all schools are established and administered by non-government authorities (referred to as "Responsible Authorities"). Of all primary schools, 94.2 per cent are non-government. These authorities establish and maintain facilities at the school, but the Government has a big stake in them because it pays the salaries of all teachers appointed by it according to the teacher/pupil ratios in force at any one time, and pays out per capita grants for the purchase of teaching/learning materials.

228. The Government fully recognizes the significance of these authorities' contribution as partners in the education enterprise, and generally supports their efforts as long as they fall within the broad policy framework established. The Government, however, frowns on the establishment of schools which adopt an exclusivist stance and so it examines each case individually. However, it permits the establishment of schools which altruistically serve the genuine needs of cultural minorities, so long as they are within the mainstream of the education system.

8. Changes in national policies, laws and practices

229. During the current reporting period, there have not been any significant changes in policies, laws and practices which adversely affect the learner's rights of access to, and participation in, education.

9. Role of international assistance

230. International assistance is largely used to:

(a) Facilitate the achievement of greater equity in the provision of educational facilities, for example through the construction of schools, other forms of support to disadvantaged pupils, schools and areas, scholarship schemes, and support to the special education programme;

(b) Expand the Ministry of Education and Culture's capacity to administer the educational programmes and projects, for example, support to school management and supervision, project supervision, research, evaluation and monitoring activities. Included in capacity building is the development of a variety of skills among Ministry personnel through study tours as well as local and overseas staff development programmes;

(c) Provide educational equipment and supplies, such as vehicles, paper for textbooks and examinations, other teaching/learning materials; and

(d) Support specific innovative educational programmes such as the Zimbabwe Foundation for Education with Production (ZIMFEP) programme.

B. Higher education

231. The Ministry of Higher Education works closely with the Ministry of Education and Culture and it has also taken measures towards the realization of the right to education.

232. Measures have been taken in teacher training and these measures include the following:

The introduction of the Zimbabwe model of teacher training to quickly arrest the critical shortage of teachers;

The opening up of additional colleges in order to meet the growing needs of the population. The number of teacher training colleges was increased from 8 in 1980 to 15 in 1990;

The introduction of the Zimbabwe/Cuba teacher training programme in 1986;

Increased enrolments at existing colleges. Since 1980 the enrolment figures have risen from 2,824 to 15,908 in 1994.

233. Technical and vocational training has also witnessed massive expansion and there are plans to build additional technical colleges once resources become available.

234. University education has also been remarkably expanded. The University of Zimbabwe increased its faculties from 6 at independence to 10 to date. The Government opened another university (the National University of Science and Technology) and facilitated the opening of two private universities. Thus there are now four universities as compared to the one that Zimbabwe had at independence.

235. A Distance Education Programme was recently launched and it is a further measure to fulfil the people's quest for education.

Article 14. Future plans for compulsory and free primary education

236. As pointed out in paragraph 182 above, primary education is not free (except for rural schools) and is not compulsory. However, the necessary legislation for the adoption of compulsory primary education is in place, although the logistical support system for its enforcement still has to be created. Primary education is not wholly free, but currently, the preparation of a comprehensive national programme of action for children is in its final stages, and should see the Government implement a more concrete programme of activities to achieve a wide range of objectives and targets set for the year 2000.

Article 15. Cultural life, scientific progress and protection of scientific, literary and artistic material

Legislature and other measures on cultural issues

237. Funding is provided for artists through the National Arts Council.

238. The National Arts Council has been set up to look after the performing arts and the National Art Gallery to look after the visual arts. The Ministry of Education and Culture has also set up culture centres in several areas to deal with arts and crafts. The National Library Documentation Services (NLDS) is also in place, and its functions involve the setting up of libraries and the encouragement of a reading culture. There is regular participation by the Ministry in the Zimbabwe International Book Fair.

239. The Ministry produced the national cultural policy of Zimbabwe to guide the effective development and promotion of culture.

240. The Ministry encourages minority groups to practise their own culture.

241. Efforts have been made to encourage participation in cultural activities as well as to disseminate information on cultural activities.

242. The National Archives are tasked with the preservation of our national cultural heritage, and so are the National Museums and Monuments.

243. The National Arts Council of Zimbabwe Act and the National Gallery of Zimbabwe Act, look after the protection of the freedom of artistic creation and performance and the dissemination of information on artistic performance.

244. The National Gallery of Zimbabwe has set up the BAT Workshop School to teach the visual arts. Colleges of music, drama associations and other associations are engaged in the teaching of the performing arts. The University of Zimbabwe has set up a department of performing arts and Harare Polytechnic has a course in library and information work.

Steps taken for the conservation, development and diffusion of culture

245. Writers, creative workers, artists and other creative individuals have formed associations to look after their own interests. The National Arts Council looks after the interests of the artists.

Legislative and other measures to encourage and develop international contacts and cooperation in the field of culture

246. The Government of Zimbabwe has cultural agreements with many countries and participates in joint commissions aimed at discussing such agreements.

247. Artists participate in international exhibitions, seminars, conferences, etc.